Improvement Res. No. 1303-1971

Resolution Adopted:
April 22, 1971

Confirmed: May 20, L971

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:
July 13, L972

1303-1971

B.O. 132-70

DECLARATORY RESOLUTION NO. 1303-1971

For the Vacation of the first alley south of Louisedale Drive from the west property line of the first alley west of Wells Street to the east property line of the second alley west of Wells Street.

ADOPTED: April 22, 1971

ADVERTISE NOTICE TO PROPERTY OWNERS: April 29 & May 6, 1971

NOTICES MAILED: May 6, 1971

HEARING ON CONFIRMATION: Thurs., May 20, 1971 at 3:30 pm.

CONFIRMED: May 20, 1971

ASSESSMENT ROLL ORDERED: May 20, 1971

ASSESSMENT ROLL APPROVED: June 21, 1972

HEARING ON CONFIRMATION OF ASSM'T ROLL: Thurs. July 13, 1972 at 3:30pm

NOTICE SERVED: June 30, 1972

ASSESSMENT ROLL CONFIRMED: July 13, 1972

DECLARATORY RESOLUTION No. 1303 19 71

For the Vacation ~~Opening Condemnation of right of way for utility purposes~~ of the first alley south of Louisedale Drive from the west property line of the first alley west of Wells Street to the east property line of the second alley west of Wells Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the first alley south of Louisedale Drive from the west property line of the first alley west of Wells Street to the east property line of the second alley west of Wells Street.

NOTE: The entire 12 foot wide vacated alley shall revert back to Lots 1 to 5 inclusive, Louisedale Addition, because it was originally appropriated from said Louisedale Addition.

All as shown by a plan of such proposed Vacation ~~Opening Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening Condemnation of right of way for utility purposes~~ is described as follows: Lots 1 to 5 inclusive, Louisedale Addition and Lot No. 6, Bayer's Acre Addition. Said additions are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described _____ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described vacation are situated in the northwest quarter of Section Twenty-six, Township 31 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

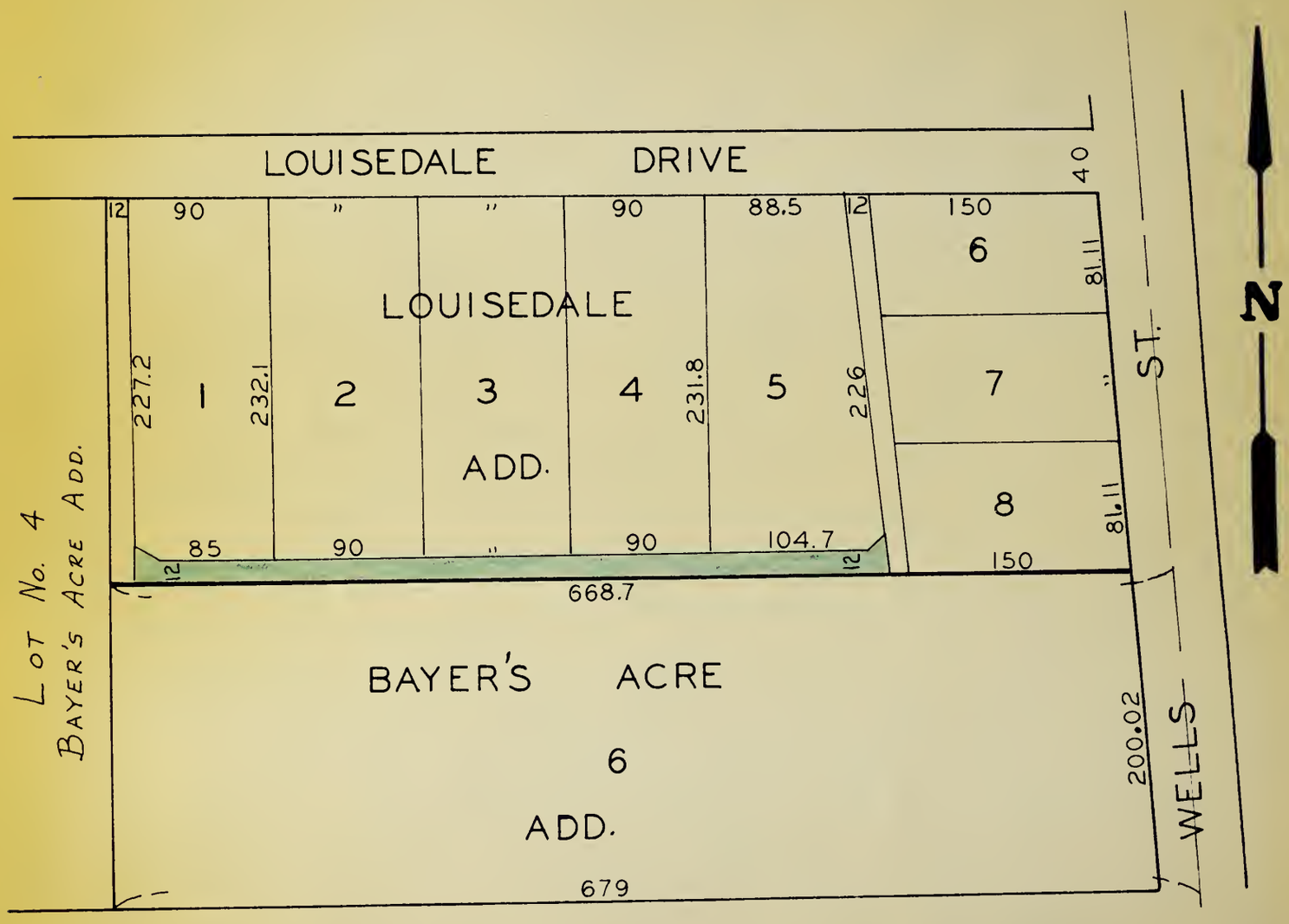
ADOPTED THIS 22nd DAY OF April 19 71.

Attest:

Secretary Board of Public Works.

Board of Public Works.

ALLEYS TO BE VACATED



1303

ENGINEERING
DEPT. OF STREETS

55-121-8
55-121-9
55-121-10

NOTED
F.S.E.
R.W.D.
G.F.G.
Date

DATE May 27, 1970

TO: Board of Public Works

SUBJECT:

Please send board orders for the following:

130 For the vacation of the first alley west of Wells Street from the south property line of Louisedale Drive to the south line of Louisedale Addition.

131 For the vacation of the second alley west of Wells Street from the south property line of Louisedale Drive to the south line of Louisedale Addition.

132 For the vacation of the first alley south of Louisedale Drive from the west property line of the first alley west of Wells Street to the east property line of the second alley west of Wells Street.

BOARD OF PUBLIC WORKS
RECEIVED
MAY 28 1970

DEB
Donald E. Bodeker
Office Manager

DEB:lc

7

OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE 2, INDIANA

55-127-10

B.O.132-70

Date June 1, 1970

4/22/71

To City Engineer

Subject Vacation - first alley south of Louisedale Dr.

Received a petition to vacate the first alley south of Louisedale Drive from the west property line of the first alley west of Wells Street to the east property line of the second alley west of Wells Street.

Prepare an opinion, after conferring with all Governmental Agencies and Utilities.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
encl. copy of petition

Signed

Reply:

1303

April 20, 1971

Declaratory Resolution, drawing and property ownership list completed and attached.

Donald E. Bodeker
Donald E. Bodeker
Office Manager

DEB:lc
attachs.

BOARD OF PUBLIC WORKS
RECEIVED
APR 20 1971

Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE 2, INDIANA

57-55-3

B.O. 132-'70

Date May 20, 1971

To City Engineer

Subject Dec. Res. 1303-1971 First alley south of Louisedale Dr.

Prepare Final Assessment Roll of Benefits $1.00 and Damages $1.00.

Fred S. Ehrman
Robert W. Dahman
Edward V. Elkins
BOARD OF PUBLIC WORKS

br
Encl. Res. & P.O.

Signed

NOTED

J.D.B.
R.L.B.
W.G.W.
Date

Reply:

June 19, 1972

Assessment roll of Benefits and Damages completed and attached.

Kenneth N. Traylor
Street Engineer

KNT:lc
attachs.

Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

57-55-3
May 20, 1971

B.O. 132-'70

City Engineer

Dec. Res. 1303-1971 First alley south of Louisedale Dr.

Prepare Final Assessment Roll of Benefits $1.00 and Damages $1.00.

Fred S. Ehrman
Robert W. Dahman
Edward V. Elkins
BOARD OF PUBLIC WORKS

br
Encl. Res. & P.O.

55-127-10

B.O.132-70

June 1, 1970

City Engineer

Vacation - first alley south of Louisedale Dr.

Received a petition to vacate the first alley south of Louisedale Drive from the west property line of the first alley west of Wells Street to the east property line of the second alley west of Wells Street.

Prepare an opinion, after conferring with all Governmental Agencies and Utilities.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
encl. copy of petition

CERTIFICATE OF SURVEY

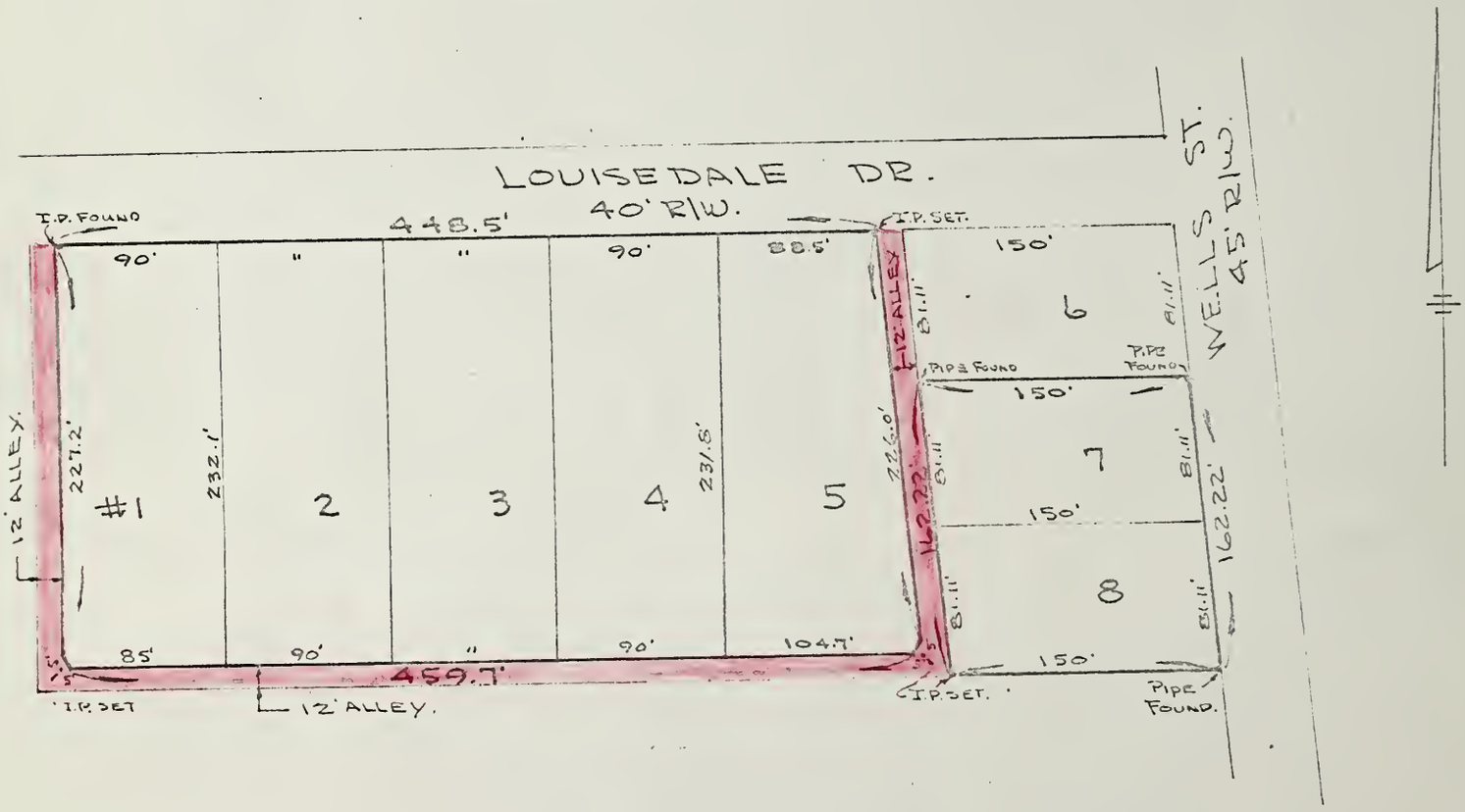
OFFICE OF:

JOHN R. DONOVAN
REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA
REGISTERED LAND SURVEYOR No. 9921 INDIANA
FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: Lots numbered 1, 2, 3, 4, 5, 7, and 8 in Louisedale as recorded in Plat Book #9, page 86 in the office of the Recorder of Allen County, Indiana.



FOR IMPROVEMENTS SEE ATTACHED SHEET.

JOB FOR: TARMON

1" = 100'
9-16-69

John R. Donovan
JOHN R. DONOVAN

PETITION FOR VACATION OF STREET

Fort Wayne, Indiana, May 7, 1970

TO: Plan Commission of the City of Fort Wayne

The Common Council of the City of Fort Wayne

The Board of Public Works of the City of Fort Wayne

Gentlemen:

The undersigned, owners of real estate in the City of Fort Wayne, Allen County, Indiana, described as follows:

> Lots numbered 1, 2, 3, 4, 5, 7 and 8 in Louisedale Addition, according to the plat thereof, recorded in Plat Record 9, page 86, of the Records of Allen County, Indiana, and being a subdivision of Lot 5 in Bayer's Acre Addition to the City of Fort Wayne, Indiana,

respectfully petition and request that:

1. The Fort Wayne City Plan Commission hold a public hearing upon the vacation of the entire twelve (12) foot public alley as platted in said Louisedale Addition, appearing in Plat Book 9, page 86 in the office of the Recorder of Allen County, Indiana and more particularly described as follows:

> Beginning at the northwest corner of Lot 6 in Louisedale Addition; thence southeast along the west property of Lots 6, 7 and 8 in Louisedale Addition to the south property line of said Lot 8, said property line being the south property line of subdivided Lot 5 in Bayer's Acre Addition; thence west along said south property line to the west property line of said subdivided Lot 5 in Bayer's Acre Addition; thence north along said property line to the south right of way line of Louisedale drive; thence east along said right-of-way line to the northwest corner of Lot 1; thence south

> and southeast along said property line to the south property line of said Lot 1; thence east along the south property line of Lots 1, 2, 3, 4, and 5 in Louisedale Addition and along the southeast property line of said Lot 5 to the east property line of said Lot 5; thence northwest along the east property line of said Lot 5 to the south right of way line of Louisedale Drive; thence east along the said south right of way line to the point of beginning,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the general assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the general assembly of the State of Indiana, (Burns' Ind. Ann. Stat. § 53-744).

2. Upon determination that the vacation of said public street hereinabove described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana, the Fort Wayne City Plan Commission approve the vacation of the said public street hereinabove described pursuant to the provisions of the above mentioned statute.

3. The Common Council of the City of Fort Wayne enact an ordinance to amend the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council on November 26, 1963, by authorizing the vacation of said public alley hereinabove described in accordance with the terms of Section 42, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, (Burns' Ind. Ann. Stat. §53-742), and the aforementioned Section 44 of Chapter 174 of the Acts of 1947.

4. The Board of Public Works of the City of Fort Wayne pass a resolution providing for the vacation of said public alley hereinabove described in accordance with the terms of Section 93, Chapter 129 of the Acts of 1905, as amended by Section 8 of Chapter 188 of the Acts of 1909 and Section 1 of Chapter 85 of the Acts of 1913 of the General Assembly of the State of Indiana, (Burns' Ind. Ann. Stat. §48-1902) and Section 97 of Chapter 129 of 1905 of the General Assembly of The State of Indiana, (Burns' Ind. Ann. Stat. §48-2001).

Respectfully submitted,

OWNER OF LOTS 1, 2, 3, 4, 5, 7 and 8
IN LOUISEDALE ADDITION

By Ray F. Tarmon
(Ray F. Tarmon)

CONTRACT PURCHASER OF LOTS 1, 2, 3, 4, 5, 7 and 8

By Richard E. Scheele
(Richard E. Scheele)

OWNER OF LOT 6 IN LOUISEDALE ADDITION

By_____
(David V. Cook)

By_____
(Carolyn F. Cook)

N O T I C E T O P R O P E R T Y O W N E R

Office Board of Public Works
~~City Hall~~ City County Bldg.
Fort Wayne, Indiana.....May 6, 1971.

1303

To.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did adopt Declaratory Resolution No..1303-1971..... providing for the Vacation of the first alley south of Louisedale Drive from the west property line of the first alley west of Wells Street to the east property line of the second alley west of Wells Street.

The Board has fixed .Thursday,..May.20,.1971.at.3:30.pm.in.Conference.Room.. 926
a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by said Declaratory Resolution.

PROPERTY DESCRIPTION:

Louisedale Addition - Bayer's Acre Addition

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

DECLARATORY
~~Improvement~~ Resolution No. 1303 -71 For the VACATION of the FIRST ALLEY [redacted] SOUTH of LOUISEDALE DRIVE FROM THE WEST

PROPERTY LINE of the FIRST ALLEY WEST of WELLS STREET TO THE EAST PROPERTY LINE of the SECOND ALLEY WEST of WELLS STREET.

	OWNER'S NAME	ADDRESS	NUMBER OF LOT	NUMBER OF BLOCK	NUMBER OF O. L.	DESCRIPTION
1	TARMON, RAY F. & BLANCHE	617 LOUISEDALE DRIVE	1			LOUISEDALE ADDITION
2	" " " "	" " "	2			" "
3	" " " "	" " "	3			" "
4	" " " "	" " "	4			" "
5	" " " "	" " "	5			" "
6	WILLIAM SCHEELE & SONS CO. INC.	1207 N. Harrison St.	6			BAYER'S ACRE ADDITION
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61	NOTICES MAILED ~~OR SERVED~~					
62	May 6, 1971					
63	By Joseph Pohling					
64						
65						
		TOTAL				